

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

Applicants: Robert E. Reiter et al.

Serial No: 09/359,326

Filed: July 20, 1999

Title: PSCA: PROSTATE STEM CELL ANTIGEN AND USES THEREOF

Docket: 30435.54USI4

Date of Deposit: June 11, 2001

Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.  
Communication for Submission of Supplemental Declaration under 37 C.F.R. §§1.63 and 1.67  
Executed Combined Declaration and Power of Attorney (6 pages)  
Return postcard

Patent

SBA

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Robert E. Reiter et al.  
**Serial No.:** 09/359,326  
**Filed:** July 20, 1999  
**Docket:** 30435.54USI4  
**Title:** PSCA: PROSTATE STEM CELL ANTIGEN AND USES THEREOF

**CERTIFICATE UNDER 37 CFR 1.8**

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on June 11, 2001.

By: Renato Marco P. Domingo  
Name: Renato Marco P. Domingo

35 N. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
June 11, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Communication for Submission of Supplemental Declaration under 37 C.F.R. §§1.63 and 1.67
  - ☒ No Additional fee is required
  - ☐ The fee has been calculated as shown below in the "Claims as Amended" table
- ☒ Executed Combined Declaration and Power of Attorney (6 pages)
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**CLAIMS AS AMENDED**

Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Fee
<b>Total Claims</b>								
0	-	0	=	0	x	.00	=	\$:00
<b>Independent Claims</b>								
0	-	0	=	0	x	.00	=	\$:00
MULTIPLE DEPENDENT CLAIM FEE								\$:00
TOTAL FILING FEE								\$:00

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

**MANDEL & ADRIANO**  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
(626)395-7801

By: Sarah B. Adriano  
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Customer No. 26,941

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Robert E. Reiter et al.  
**Serial No.:** 09/359,326  
**Filed:** July 20, 1999  
**Docket:** 30435.54USI4  
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Independent Claims								
0	-	0	=	0	x	.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$0.00

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By: Sarah B. Adriano  
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Customer No. 26,941

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Robert E. Reiter, et al.

Serial No.: 09/359,326

Patent Office: Larry R. Helms

Filed: July 20, 1999

Group Art Unit: 1642

Title: PSCA: PROSTATE STEM CELL ANTIGEN AND USES THEREOF

35 North Arroyo Parkway  
Pasadena, California 91103  
June 11, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**COMMUNICATION FOR SUBMISSION OF  
SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. §1.63 AND §1.67**

Applicants submit herein a Supplemental Declaration under 37 C.F.R. §1.63 and 1.67, for the above-referenced patent application. The Declaration previously submitted on November 22, 1999, contained errors which have been corrected in the Supplemental Declaration.

Applicants: Reiter, et al.  
U.S. Serial No.: 09/359,326  
Filed: July 20, 1999  
Page: 2

Specifically, the previously-filed Declaration contained the following typographical error; it claimed the priority of U.S. Serial No. "09/308,503" (it should have read 09/318,503). Further, the previously-filed Declaration claimed the priority of U.S. Serial No. "08/814,279" (which the Patent Office has now reassigned U.S. Serial No. 60/228,816). Additionally, the previously-filed Declaration inadvertently omitted claiming priority of U.S. Serial No. 60/120,536 as properly indicated in the originally-filed specification at page 1, line 9. The Supplemental Declaration corrects these errors.

No fee is deemed necessary in connection with the filing of this Communication. If any fee is necessary, the Patent Office is authorized to charge any fee to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

Sarah B. Adriano  
Registration No. 34,470  
Roberta D. German  
Registration No. 43,902  
Patent Practitioners for Applicants  
Mandel & Adriano  
35 N. Arroyo Parkway  
Pasadena, California 91103  
(626) 395-7801  
Customer #:26,941

MANDEL & ADRIANO

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PSCA: PROSTATE STEM CELL ANTIGEN

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on July 20, 1999 as application serial no. 09/359,326 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
09/038,261	March 10, 1998	Pending
09/203,939	December 2, 1998	Pending
09/251,835	February 17, 1999	Pending
09/318,503	May 25, 1999	Pending

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/228,816	March 10, 1997
60/071,141	January 12, 1998
60/074,675	February 13, 1998
60/113,230	December 21, 1998
60/120,536	February 17, 1999
60/124,658	March 16, 1999

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Sarah B. Adriano      Reg. No. 34,470  
SaraLynn Mandel      Reg. No. 31,853

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Mandel & Adriano to the contrary.

Please direct all correspondence in this case to Mandel & Adriano at the address indicated below:

Mandel & Adriano  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Reiter	First Given Name Robert	Second Given Name E.
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship US
1	Post Office Address	Post Office Address 10511 Kinnard Avenue	City Los Angeles	State & Zip Code/Country California 90024-6017/USA
Signature of Inventor 201: <i>Robert E. Reiter</i>			Date: <i>10/30/00</i>	
2	Full Name Of Inventor	Family Name Witte	First Given Name Owen	Second Given Name N.
0	Residence & Citizenship	City Sherman Oaks	State or Foreign Country California	Country of Citizenship US
2	Post Office Address	Post Office Address 14727 Sutton Street	City Sherman Oaks	State & Zip Code/Country California 91403/USA
Signature of Inventor 202: <i>Owen M. Witte</i>			Date: <i>Oct 30, 2000</i>	

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Saffran	<b>First Given Name</b> Douglas	<b>Second Given Name</b> C.
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Los Angeles	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> Canada
3	<b>Post Office Address</b>	<b>Post Office Address</b> 11720 Bellagio Road #204	<b>City</b> Los Angeles	<b>State &amp; Zip Code/Country</b> California 90049/USA
<b>Signature of Inventor 203:</b>				<b>Date:</b>

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



**MANDEL & ADRIANO**  
**United States Patent Application**  
**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

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Signature of Inventor 201:				Date:
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Signature of Inventor 202:				Date:

2	Full Name Of Inventor	Family Name Saffran	First Given Name Douglas	Second Given Name C.
0	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship Canada
3	Post Office Address	Post Office Address 11720 Bellagio Road #204	City Los Angeles	State & Zip Code/Country California 90049/USA
Signature of Inventor 203: <i>Douglas C. Saffran</i>			Date: <i>11/8/00</i>	

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- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.